

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**In re Terrorist Attacks on September 11,
2001**

**03 MDL 1570 (GBD)(SN)
ECF Case**

This document relates to:

*Ashton et al. v. al Qaeda Islamic Army, et al., 02-cv-6977 (GBD)(SN) (and member case
Hugh A. Chairnoff, et al. v. Islamic Republic of Iran, 1:18-cv-12370(GBD) (SN)))*

**PLAINTIFFS' NOTICE OF MOTION FOR (1) JUDGMENT BY DEFAULT
AS TO LIABILITY OF ISLAMIC REPUBLIC OF IRAN PURSUANT TO
28 U.S.C. § 1605A(c), AND (2) PARTIAL FINAL JUDGMENTS FOR SOLATIUM
AND PAIN AND SUFFERING DAMAGES FOR CERTAIN PLAINTIFFS**

PLEASE TAKE NOTICE that, by and through their undersigned counsel and upon the accompanying Memorandum of Law, the Declaration of Joseph Peter Drennan executed on March 18, 2021, together with the Exhibits annexed thereto, the evidence filed in the above-captioned multidistrict litigation on May 19, 2011 (ECF Nos. 273-76 in 1:03-cv-1570-GBD-SN), July 13, 2011 (ECF No. 280) and August 19, 2011 (ECF No. 284), and the evidence presented at the December 15, 2011 hearing on liability, and all prior pleadings and proceedings had herein,

(1) all Plaintiffs in the above-captioned *Hugh A. Chairnoff, et al. v. Islamic Republic of Iran, 1:18-cv-12370 (GBD) (SN)* except Isabel Nimbley (the “Chairnoff Plaintiffs”) respectfully move this Court pursuant to 28 U.S.C. Section 1608(e) and Rule 55(b) of the Federal Rules of Civil Procedure for judgment by default against the Islamic Republic of Iran as to its liability to the *Chairnoff* Plaintiffs under 28 U.S.C. Section 1605A(c);

(2) those *Chairnoff* Plaintiffs identified in Exhibit A to the Donahue Declaration, each of whom is a U.S. citizen and a spouse, parent, child, or sibling (or the estate of a parent) of an individual killed in the terrorist attacks on September 11, 2001, respectfully move this Court

pursuant to 28 U.S.C. Section 1608(e) and Rules 54(b) and 55 of the Federal Rules of Civil Procedure for a final order of judgment awarding them against the Islamic Republic of Iran compensatory damages for solatium in the same amounts previously awarded to immediate family members of decedents killed in the September 11 attacks, and prejudgment interest thereon at the rate of 4.96 percent per annum, compounded annually for the period from September 11, 2001 until the date of the judgment;

(3) Plaintiff Debra Guja, as personal representative of the Estate of Geoffrey E. Guja, a victim of the terrorist attacks on September 11, 2001, respectfully moves this Court for an order awarding in favor of the Estate and against the Islamic Republic of Iran compensatory damages in the amount of \$2,000,000 for Geoffrey E. Guja's pain and suffering, and prejudgment interest thereon at the rate of 4.96 percent per annum, compounded annually for the period from September 11, 2001 until the date of the judgment; and

(4) all *Chairnoff* Plaintiffs respectfully reserve the right to seek such other and further relief as the Court deems just and proper.

Dated: March 18, 2021
White Plains, New York

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